

Message Text

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PAGE 01 STATE 048898

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FM SECSTATE WASHDC

TO AMEMBASSY BOGOTA IMMEDIATE

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E.O. 11652: N/A

TAGS: SNAR

SUBJECT: SENATOR JACKSON'S LETTER RE NARE INCIDENT

1. FOLLOWING IS TEXT OF SENATOR JACKSON'S LETTER DATED
FEBRUARY 28 WRITTEN AS CHAIRMAN OF THE PERMANENT
SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS.

BEGIN TEXT: MY DEAR MR. SECRETARY: THE PERMANENT
SUBCOMMITTEE ON INVESTIGATIONS HAS BEEN CARRYING ON AN
INVESTIGATION INTO THE OPERATIONS AND EFFECTIVENESS OF
THE DRUG ENFORCEMENT ADMINISTRATION (DEA).

ONE ASPECT OF OUR INQUIRY DEALS WITH THE ACTIVITIES OF THE
DEA IN FOREIGN COUNTRIES. THE BASIS OF SUCH ACTIVITIES
IS TO MAKE FOREIGN COUNTRIES MORE AWARE OF THE IMPORTANCE
OF CURBING INTERNATIONAL NARCOTICS TRAFFIC.

IT HAS RECENTLY COME TO MY ATTENTION THAT IN ONE SUCH
COUNTRY -- COLUMBIA -- AN INCIDENT HAS TAKEN PLACE WHICH
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PAGE 02 STATE 048898

CASTS GRAVE DOUBT ON THE METHODS AND OPERATIONS OF DEA

ABROAD. I REFER TO AN INCIDENT WHICH HAPPENED ON OR ABOUT FEBRUARY 25, 1975, IN WHICH DEA PERSONNEL, INCLUDING THE AGENT IN CHARGE, PARTICIPATED IN AN ATTEMPTED SEIZURE

OF 23,000 POUNDS OF MARIJUANA.

I AM ADVISED THAT THE DEA AGENTS, ACCOMPANIED BY COLUMBIAN CUSTOMS OFFICIALS RENTED AN AIRCRAFT AND FLEW TO AN ISOLATED SPOT 180 MILES SOUTH OF BOGOTA, COLUMBIA. THEY HAD EVIDENTLY NOT COORDINATED THIS OPERATION WITH THE COLUMBIAN FEDERAL POLICE WHICH, AS I UNDERSTAND IT, HAS PRIMARY RESPONSIBILITY FOR THE ENFORCEMENT OF NARCOTIC LAWS IN COLUMBIA. THE FEDERAL POLICE, I AM ADVISED, HAD PRIOR KNOWLEDGE OF THE EXISTENCE OF THE SAME CACHE OF MARIJUANA WHICH WAS THE TARGET OF THE DEA OPERATION AND HAD ALREADY SURROUNDED ITS HIDING PLACE IN ORDER TO MAKE ARRESTS WHEN DRUG TRAFFICKERS ARRIVED.

ACCORDING TO MY INFORMATION, THE AIRCRAFT, CARRYING THE DEA AGENTS AND COLUMBIAN CUSTOMS OFFICIALS LANDED IN THE AREA, SPOTTED THE CACHE, APPROACHED IT AND WERE THEREAFTER ENGAGED IN A FIERCE GUN BATTLE OF ONE HOUR DURATION WITH THE COLUMBIAN FEDERAL POLICE. NOTWITHSTANDING THE FACT THAT THE PLANE WAS RIDDLED WITH BULLETS, THE DEA AGENTS AND COLUMBIAN CUSTOMS OFFICIALS MANAGED TO ESCAPE AND FLY BACK TO BOGOTA.

UPON ARRIVAL IN BOGOTA, IT IS MY UNDERSTANDING THAT THE AIRCRAFT WAS MET BY THE COMMANDING GENERAL OF THE COLUMBIAN FEDERAL POLICE WHO IMMEDIATELY SEIZED THE AIRCRAFT AND TECHNICALLY PLACED UNDER ARREST THE DEA PERSONNEL AND THE COLUMBIAN CUSTOMS OFFICIALS INVOLVED.

SERIOUS QUESTIONS ARE RAISED IN MY MIND ABOUT OPERATIONAL PARTICIPATION OF UNITED STATES LAW ENFORCEMENT PERSONNEL IN FOREIGN COUNTRIES. THIS IS MAGNIFIED IN IMPORTANCE BECAUSE OF THE FACT THAT SUCH AGENTS ARE ATTACHED TO OUR EMBASSY AND THEREFORE ARE APPARENTLY CLOAKED WITH DIPLOMATIC STATUS.

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PAGE 03 STATE 048898

UNDER THE CIRCUMSTANCES, I WOULD LIKE TO RECEIVE A COMPLETE REPORT ON THIS MATTER INCLUDING A STATEMENT OF POLICY WITH RESPECT TO DEA PERSONNEL ABROAD, SPECIFICALLY, WHETHER THEY ARE ENGAGED IN THE UNILATERAL ENFORCEMENT OF NARCOTICS LAWS IN THE COUNTRIES IN WHICH THEY OPERATE.

IN ADDITION, I WOULD LIKE TO KNOW WHETHER THIS INCIDENT

WILL IMPAIR OR DESTROY A PROGRAM OF INTERNATIONAL COOPERATION SO ESSENTIAL TO THE CURTAILMENT OF NARCOTICS FLOW TO THE UNITED STATES.

IN LIGHT OF THE INCIDENT, I WISH ALSO TO BE ADVISED AS TO WHETHER THE GOVERNMENT OF ANY OTHER FOREIGN COUNTRIES HAVE MADE COMPLAINTS OR PROTESTS TO THE DEPARTMENT OF STATE AS A RESULT OF THE ACTIVITIES OF DEA PERSONNEL.

I WOULD APPRECIATE AN EXPEDITED REPLY SINCE I AM GREATLY DISTURBED BY SUCH ACTIVITIES WHICH NOT ONLY HAMPER NARCOTICS ENFORCEMENT BUT ALSO AFFECT THE RELATIONSHIP BETWEEN THE UNITED STATES AND FRIENDLY NATIONS SUCH AS COLUMBIA. SINCERELY YOURS, HENRY M. JACKSON. END TEXT.

2. FOLLOWING IS TEXT OF S/NM, ARA, AND DEA AGREED DRAFT REPLY. IT IS TRANSMITTED FOR YOUR URGENT REVIEW.

BEGIN TEXT: DEAR SENATOR JACKSON: THE SECRETARY HAS ASKED ME TO REPLY TO YOUR LETTER OF FEBRUARY 28, 1975. THE DEPARTMENT OF STATE WELCOMES THIS OPPORTUNITY TO COMMENT, FOR THE BENEFIT OF THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS, ON THE RECENT INCIDENT IN COLOMBIA, OF WHICH YOU WROTE, AS WELL AS BROADER QUESTIONS INVOLVING OUR COOPERATIVE INTERNATIONAL NARCOTICS CONTROL PROGRAMS.

WE HAVE RECEIVED REPORTING FROM OUR EMBASSY IN BOGOTA REGARDING THE INCIDENT DESCRIBED IN YOUR LETTER WHICH OCCURRED IN THE COURSE OF A COLOMBIAN CUSTOMS SERVICE OPERATION TO SEIZE SOME TEN TONS OF MARIHUANA. THE ESSENTIAL FACT IS THAT TWO DRUG ENFORCEMENT AGENCY PERSONNEL ASSIGNED TO OUR EMBASSY IN BOGOTA ACCOMPANIED ELEVEN COLOMBIAN CUSTOMS OFFICIALS, AT THEIR INVITATION, LIMITED OFFICIAL USE

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PAGE 04 STATE 048898

TO AN ISOLATED AIRPORT AT NARE, VAUPES REGION, SOUTH OF BOGOTA, ON THIS OPERATION. INFORMATION LEADING TO THE EXISTENCE OF THE CACHE OF MARIHUANA AT THIS POINT HAD BECOME AVAILABLE TO THE COLOMBIAN OFFICIALS THROUGH DEA SOURCES AND DEA ACCOMPANIED THE COLOMBIAN CUSTOMS OFFICIALS AS PART OF NORMAL COOPERATIVE ARRANGEMENTS IN SUCH CASES IN WHICH DEA KNOWLEDGE OF IMPORTANT FACTS MAKES THEIR PRESENCE UNUSUALLY HELPFUL TO THE NATIONAL AUTHORITIES. THE COLOMBIAN SECURITY POLICE (DAS) HAD ALSO MOUNTED AN OPERATION TO SEIZE THIS SAME LARGE CACHE OF MARIHUANA. AS THE COLOMBIAN GOVERNMENT PRESS STATEMENT NOTED, THESE OPERATIONS WERE NOT COORDINATED. THE CONFRONTATION AND SHOOTING INCIDENT AT THE REMOTE AIRFIELD TOOK PLACE AS INDICATED IN YOUR LETTER. FORTUNATELY, NO ONE WAS HURT. IT SHOULD BE NOTED THAT DEA PERSONNEL

THEMSELVES DID NOT PARTICIPATE IN THE SHOOTING.
HEMSELVES DID NOT PARTICIPATE IN THE SHOOTING.

IT APPEARS THAT CONSTRUCTIVE VALUE WILL RESULT IN THAT THE COLOMBIAN GOVERNMENT IS TAKING STEPS TO IMPROVE COORDINATION IN THE FUTURE. IN THIS RESPECT THE COLOMBIAN GOVERNMENT PRESS STATEMENT NOTES: "THIS INCIDENT WILL SERVE TO BETTER THE COORDINATION BETWEEN THE DIFFERENT ENTITIES WHICH HAVE RESPONSIBILITY FOR REPRESSION OF NARCOTICS TRAFFIC." WE, OF COURSE, WELCOME THIS IN THAT IT WILL IMPROVE THE EFFECTIVENESS OF NARCOTICS CONTROL EFFORTS IN THAT COUNTRY AND THE RESULTS OF OUR COOPERATIVE WORK WITH THE COLOMBIAN AGENCIES.

DRUG ENFORCEMENT AGENCY PERSONNEL ARE ASSIGNED TO AMERICAN DIPLOMATIC AND CONSULAR OFFICES ABROAD AS PART OF THE INTERNATIONAL NARCOTICS CONTROL EFFORT GUIDED BY THE CABINET COMMITTEE ON INTERNATIONAL CONTROL CHAIRED BY SECRETARY KISSINGER. THESE OFFICIALS SERVE UNDER THE DIRECTION OF OUR AMBASSADORS AND ENGAGE ONLY IN THOSE TYPES OF ACTIVITIES AUTHORIZED BY THE LOCAL GOVERNMENT AND BY ;IM. THEREFORE, THEIR PARTICULAR ROLES VARY FROM COUNTRY TO COUNTRY DEPENDING UPON THE LOCAL GOVERNMENT AND THE ORGANIZATIONAL STRUCTURES THAT THEY HAVE CREATED TO DEAL WITH THE PROBLEM. I NO COUNTRY DO DEA PERSONNEL ENGAGE IN UNILATERAL ENFORCEMENT OF NARCOTICS LAWS.
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PAGE 05 STATE 048898

THE INCIDENT IN COLOMBIA HAS BEEN DISCUSSED BY OUR AMBASSADOR WIT; THE COLOMBIAN FOREIGN MINISTER. ON THE BASIS OF THE AMBASSADOR'S REPORTS, IT APPEARS THAT THE INCIDENT WILL NOT PREJUDICE OUR COOPERATION WITH THAT COUNTRY BUT, AS INDICATED ABOVE, WILL LEAD TO IMPROVED LOCAL WORKING RELATIONSHIPS WHICH SHOULD ENHANCE EFFECTIVENESS IN NARCOTICS INTERDICTION.

FINALLY, WE HAVE NOT RECEIVED A PROTEST FROM THE GOVERNMENT OF COLOMBIA IN THIS MATTER NOR HAVE THERE BEEN ANY OTHER CASES IN WHICH WE HAVE RECEIVED PROTESTS AS A RESULT OF THE ACTIVITIES OF DEA PERSONNEL. INDEED, AS THE NARCOTICS THREAT IS INCREASINGLY UNDERSTOOD ABROAD, THERE IS A CORRESPONDING INCREASE IN INTEREST IN INTERNATIONAL COOPERATION INCLUDING CLOSER WORKING RELATIONSHIPS WITH OUR DEA OFFICIALS. SINCERELY YOURS,
ROBERT J. MCCLOSKEY. END TEXT.

3. WE REQUEST YOUR REPLY BY OPENING OF BUSINESS
WASHINGTON, MARCH 6, AS WE ARE UNDER STRICT 48-HOUR
DEADLINE. KISSINGER

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